

REMARKS

Claims 1, 4-8, and 12-28 are pending. The support in the originally filed specification for the amendments and new claims is, for example, as follows: Claims 1, 12, and 18; p.13, [0041] and p.14, [0046], and Examples. No new matter is added.

Claim Rejection - Enablement

Claims 1, 12, and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. (Office Action, Page 2)

Claims 1, 12, and 18 now have been amended to clarify the expression to that metals present in the deodorizing filter are present in the form of metal complexes. The claimed invention discloses metals including only metal complexes, such as cobalt phthalocyanine complexes and iron phthalocyanine complexes, throughout the specification. Therefore, there is a support for the amendment in the specification.

It is respectfully requested that the rejection be withdrawn in light of the amendments.

Claim Rejection - Obviousness

Claims 1, 4-8 and 12-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aibe et al. (U.S. Patent No. 5,288,306) in view of Hasebe et al. (U.S. Patent No. 5,047,022). (Office Action, Page 3)

Claims 1, 12, and 18 are amended to recite “alkali regulated with a hydroxide” in the claims. The specification discloses that the first deodorizing filter could be immersed in aqueous alkaline solution containing a metal complex and the aqueous alkaline solution could be a hydroxide (for example, p.13, [0041] and p.14, [0046], and Examples) so as to have a high-pH environment. On the other hand, neither Aibe nor Hasebe discloses any hydroxide to regulate the first deodorizing filter to have a high-pH. The filter of this invention which is alkali regulated with a hydroxide is chemically different from that of Aibe and Hasebe.

Moreover, in the claimed invention, the hydroxyl becomes water and is released to an outside of the filter system at the time of drying by adjusting the alkalinity of the filter with a

metallic hydroxide. Metallic ions are absorbed by substituent (e.g., -COOH, -SO₃H) of a phthalocyanine complex, therefore, this invention has an advantage that phthalocyanine complex, for example, does not lose its performance and features and can accomplish the unexpected result of deodorizing basic and acidic odors efficiently at the same time ([0006], Examples).

On the other hand, in the case of adjusting the alkalinity with, for example, carbonate of alkali metal, or phosphate of alkali metal, it is difficult to maintain the high-level pH environment since carbonic acid or phosphoric acid is disengaged. Moreover, in the case of adjusting the alkalinity with alkali metal iodized product as disclosed in Aibe, there is a problem that the iodized product remains in the filter system. Furthermore, in the case of adjusting the alkalinity with quaternary ammonium salt or amine, the chemical compounds remain in the filter system, resulting in separation of malodorous substances (quaternary ammonium salt or amine) to newly cause odor generation, which becomes a fatal problem.

As set forth above, the deodorizing effects are different depending on what alkali is adjusted the alkalinity. The Applicant respectfully asserts that the unexpected result of deodorizing capacity of this invention can be accomplished by adjusting the alkalinity with claimed alkali regulated with a hydroxide. Also, one of ordinary skill in the art would not have selected alkali regulated with hydroxide as of this invention.

As a result, the combination of references fails to make the invention now claimed *prima facie* obvious. It is respectfully requested that the rejection be reconsidered and withdrawn.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aibe et al. (U.S. Patent No. 5,288,306) in view of Hasebe et al. (U.S. Patent No. 5,047,022) as applied to Claim 1 above, and further in view of Ishii et al. (U.S. Patent No. 5,830,414). (Office Action, Page 5)

Ishii is cited for the disclosure of a quaternary ammonium salt. However, Ishii does not compensate for the deficiencies in the combination of Aibe and Hasebe described above. Therefore the combination still fails to teach the invention now claimed.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aibe et al. (U.S. Patent No. 5,288,306) in view of Hasebe et al. (U.S. Patent No. 5,047,022) as applied to Claim 1 above, and further in view of Lindhe (U.S. Patent No. 5,944,878). (Office Action, Page 6)

Lindhe is cited for disclosing a set of filters, provided with hydrazine and polyvinylamine, to remove malodorous gasses. However, Lindhe does not compensate for the deficiencies in the combination of Aibe and Hasebe described above. Therefore the combination still fails to teach the invention now claimed.

Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aibe et al. (U.S. Patent No. 5,288,306) in view of Hasebe et al. (U.S. Patent No. 5,047,022) as applied to Claims 1, 12 and 18 above, and further in view of Minemura et al. (U.S. Patent No. 6,936,094). (Office Action, Page 6)

Minemura is cited for disclosing sodium hydroxide. However, Minemura discloses only the activated carbon from coconut shell, wood, coal, and pitch. Minemura neither discloses nor suggests the filter system including phthalocyanine complex of this invention. Aibe discloses neither alkali regulated with a hydroxide as now claimed nor filters including phthalocyanine complex as the rejection admits. As explained above, it is important in this invention to accomplish the unexpected results that the filter system is adjusted the alkalinity of the filter comprising phthalocyanine complex with alkali regulated with a hydroxide. Therefore, Minemura does not compensate for the deficiencies in the combination of references. Therefore the combination still fails to teach the invention now claimed.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

In view of the above amendment, applicant believes the pending application is in condition for allowance. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105.

Dated: November 18, 2010

Respectfully submitted,

Customer No. 21874

Electronic signature: /James E. Armstrong, IV/
James E. Armstrong, IV

EDWARDS ANGELL PALMER & DODGE
LLP
P.O. Box 55874
Boston, Massachusetts 02205
(202) 478-7375
Attorneys/Agents For Applicant